

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2971 OF 2020****IN****WRIT PETITION NO. 1486 OF 2000**

Ansari Sagheer Ah. Moh. Ay.

.....Applicant

Vs.

Anjuman-e-Taraqui Taleem & Ors.

.....Respondents

Mr. Swaraj S. Jadhav for the Applicant.

Mr. S.R. Waghmare, for the Respondent Nos. 1 to 3.

Mr. C.D. Mali, AGP for the Respondent Nos.4 to 5.

CORAM : A. S. GADKARI, J.

DATE : 13th APRIL, 2022.

PC:-

This is an Application for restoration of Writ Petition No.1486 of 2000, which was dismissed for non-prosecution by Order dated 6th June, 2019 passed by this Court.

2 There is a delay of 243 days in filing the present Application.

3 Mr. Waghmare, learned Advocate for the Respondent Nos.1 to 3 opposed the Application and submitted that, proper explanation for condonation of such delay has not been offered by the Applicant and therefore, the delay may not be condoned.

4 Perusal of the Application would indicate that, sufficient cause is made out for restoration of the Petition. However, taking into consideration the opposition of the learned counsel for the Respondent Nos.1 to 3 and the number of days of delay i.e.243 days in filing the present Application, this Court thinks it appropriate to impose a cost of Rs.3,000/- for condonation of delay. The said cost be paid to Kirtikar Law Library, High Court, Mumbai within a period of three weeks from today.

5 Subject to payment of aforestated cost, delay is condoned and Application is allowed in terms of prayer clauses (i) and (ii).

(A.S. GADKARI, J.)